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Patent Docket P0998D1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Jeffrey L. Cleland et al. Serial No.: 09/273,230 Filed: March 18, 1999 For: PROTEIN FORMULATION	Group Art Unit: 1642 Examiner: Christopher Yaen Certificate of Facsimile Transmission Under 37 CFR § 1.8 In accordance with CFR § 1.8(d), this correspondence addressed to The Patent and Trademark Office, Washington, DC 20231 is being transmitted to facsimile No. (703) 746-7646 November 26, 2002 Wendy M. Lee
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AMENDMENT UNDER 37 C.F.R. §1.111

Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

Responsive to the Office Action dated 8/22/02, reconsideration of the present application is respectfully requested in view of the following amendments and remarks. A request for a one month extension of time and the fee therefor accompany this amendment.

IN THE CLAIMS:

Please amend the claims as indicated below.

47. (Amended) A method for treating a human comprising administering a therapeutically effective amount of a stable reconstituted formulation to the human in order to treat cancer characterized by overexpression of HER2 receptor in the human, wherein the reconstituted formulation comprises an antibody which binds HER2 receptor in an amount of about 50 mg/mL to about 400mg/mL and has been prepared by reconstituting a lyophilized mixture of the antibody and a lyoprotectant in a diluent, wherein the antibody concentration in the reconstituted formulation is about 2-40 times greater than the antibody concentration in the mixture before lyophilization.

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Please cancel claim 49, without prejudice or disclaimer.

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